UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI NORTHERN DIVISION

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Cause No.: 2:23-cv-00068-SPM
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<u>ORDER</u>

On May 29, 2025, this matter came before the Court for a Telephonic Discovery Conference at the request of Defendants Pike County, Missouri, Pike County Sheriff's Department, Sheriff Stephen Korte, and Corina Halbach (hereinafter collectively referred to as "the Pike County Defendants"). See ECF No. 64. Defendant Halbach's deposition is scheduled for tomorrow, Friday, May 30, 2025, at 10:30 AM and the Pike County Defendants sought the Court's input into placing parameters on the use and dissemination of Halbach's deposition testimony. Specifically, at Defendant Sheriff Stephen Korte's recent deposition, Plaintiff's counsel asked Defendant Korte a line of questions related to an active criminal investigation previously conducted by the Pike County Sheriff's Department and now being conducted by the Missouri Highway Patrol. In response to certain of these questions, Defendant Korte invoked his Fifth Amendment right against self-incrimination. Plaintiff's counsel subsequently released the portions of the deposition where Defendant Korte invoked his Fifth Amendment right to local media, which published stories questioning Defendant Korte's character, reputation, and credibility. Among other concerns, the Pike County Defendants worried that such dissemination may taint the jury pool and, without intervention or guidance from the Court, Plaintiff might pursue a similar line of questions in Defendant Halbach's deposition and make similar disclosures of her deposition testimony to the media.

Case: 2:23-cv-00068-SPM Doc. #: 67 Filed: 05/29/25 Page: 2 of 2 PageID #: 456

For the reasons stated on the record at the time of the Discovery Conference, the Court

finds that the immediate concerns raised by the Pike County Defendant can be addressed by

permitting defense counsel to designate all or part of Defendant Halbach's deposition testimony

as "Confidential" pursuant to the Protective Order entered in this case on April 11, 2025. ECF No.

62. If necessary, Plaintiff or any other party may challenge any "Confidential" designation made

by the Pike County Defendants. Except as ordered by the Court, any such challenges to the

"Confidential" designation will be addressed pursuant to the terms of the Protective Order.

Accordingly,

IT IS HEREBY ORDERED that the parties conduct the deposition of Defendant Corina

Halbach, as scheduled, on Friday May 30, 2025, in a manner that is consistent with the Federal

Rules of Civil Procedure and not inconsistent with the discussion held on the record at the

Discovery Conference and set out in this Order.

UNITED STATES MAGISTRATE JUDGE

Dated: May 29, 2025